



SPW

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:

Date: February 15, 2007 Name: Andrea Lynn Evensen (56,531) Signature:

BRINKS  
HOFFER  
GILSON  
& LIONE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Allan Joseph Hilling Smith et al.

Appln. No.: 10/662,981

Filed: September 15, 2003

For: PERFUSION INCUBATOR

Attorney Docket No: 10922/58 (PA-5237-RFB/CIP)

Examiner: Beisner, William H.

Art Unit: 1744

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached are:

- ☒ Third Supplemental Information Disclosure Statement (2 pages), PTO-1449 (1 page).  
☒ Return Receipt Postcard.

Fee calculation:

- ☒ No additional fee is required.  
☐ Small Entity.  
☐ An extension fee in an amount of \$\_\_\_\_\_ for a \_\_\_\_\_-month extension of time under 37 C.F.R. § 1.136(a).  
☐ A petition or processing fee in an amount of \$\_\_\_\_\_ under 37 C.F.R. § 1.17(\_\_\_\_).  
☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$25=			x \$50=	
Indep.		Minus			x 100=			x \$200=	
First Presentation of Multiple Dep. Claim					+\$180=			+\$360=	
					Total	\$		Total	\$

Fee payment:

- ☐ A check in the amount of \$\_\_\_\_\_ is enclosed.  
☐ Please charge Deposit Account No. 23-1925 in the amount of \$\_\_\_\_\_. A copy of this Transmittal is enclosed for this purpose.  
☐ Payment by credit card in the amount of \$\_\_\_\_\_ (Form PTO-2038 is attached).  
☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

Andrea Lynn Evensen (Reg. No. 56,531)

Date

Feb. 15, 2007

BRINKS HOFFER GILSON & LIONE  
NBC Tower – Suite 3600, 455 N. Cityfront Plaza Drive, Chicago, IL 60611-5599

BRINKS  
HOFFER  
GILSON  
& LIONE

309663.1



I hereby certify that this correspondence is being deposited with the United States Postal Service, with sufficient postage, as first class mail in an envelope addressed to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313  
on February 15, 2007

Date of Deposit

Andrea Lynn Evensen (56,531)

Name of applicant, assignee or  
Registered Representative

Signature

Date of Signature

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Appln. of: Allan Joseph Hilling Smith et al.

Appln. No.: 10/662,981

Filed: September 15, 2003

For: PERFUSION INCUBATOR

Attorney Docket No: 10922/58 (PA-5237-RFB/CIP)

Examiner: Beisner, William H.

Art Unit: 1744

**THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

This application claims priority under 35 USC §120 to the following United States patent applications: 09/819,407. In accordance with 37 C.F.R §1.98(d), the Examiner is directed to the references cited in all Information Disclosure Statements filed in the priority United States patent applications cited above in addition to the references cited herein.

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and §§1.97-1.98, and more particularly in accordance with 37 C.F.R. §1.97(c), Applicants hereby cite the following reference:

**U.S. PATENTS**

	DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
C1	5,231,989	08/03/1993	Middleman et al.		

309638.1

BRINKS  
HOFFER  
GILSON  
& LIONE

Applicants are enclosing Form PTO-1449 (one sheet), along with a copy of each listed reference for which a copy is required under 37 C.F.R. §1.98(a)(2). As the listed reference is in English, no further commentary is believed to be necessary, 37 C.F.R. §1.98(a)(3). Applicants respectfully request the Examiner's consideration of the above reference and entry thereof into the record of this application.

By submitting this Statement, Applicants are attempting to fully comply with the duty of candor and good faith mandated by 37 C.F.R. §1.56. As such, this Statement is not intended to constitute an admission that any of the enclosed references, or other information referred to therein, constitutes "prior art" or is otherwise "material to patentability," as that phrase is defined in 37 C.F.R. §1.56(a).

Applicants hereby certify pursuant to 37 C.F.R. §1.97(e)(2) that no item of information contained in this Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated in 37 C.F.R. §1.56(c), more than three months prior to the filing of this Statement. Accordingly, Applicants have calculated no fee to be due in connection with the filing of this Statement. However, the Director is authorized to charge any fee deficiency associated with the filing of this Statement to a deposit account, as authorized in the Transmittal accompanying this Statement.

Respectfully submitted,



Andrea Lynn Evensen (Reg. No. 56,531)

Feb 15, 2007  
Date



FORM PTO-1449	SERIAL NO. 10/662,981	CASE NO. 10922/58 (PA-5237-RFB-/CIP)
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT (use several sheets if necessary)	FILING DATE September 15, 2003	GROUP ART UNIT 1744
APPLICANT(S): Allan Joseph Hilling Smith et al.		

REFERENCE DESIGNATION U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
	C1	5,231,989	08/03/1993	Middleman et al.		
	C2					
	C3					
	C4					
	C5					
	C6					
	C7					
	C8					
	C9					
	C10					
	C11					
	C12					
	C13					

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES OR NO
	C14					
	C15					
	C16					
	C17					
	C18					

EXAMINER INITIAL	OTHER ART – NON PATENT LITERATURE DOCUMENTS <small>(Include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.)</small>	
	C19	
	C20	
	C21	
	C22	
	C23	
	C24	

EXAMINER	DATE CONSIDERED
----------	-----------------

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.